



CITY OF
ISSAQUAH
WASHINGTON

Community Planning & Development Department

1775 – 12th Ave NW | P.O. Box 1307

Issaquah, WA 98027

425-837-3100

issaquahwa.gov

HEARING EXAMINER

PLAT AMENDMENT – STAFF REPORT Mallard Pointe

APPLICATION NO: PA22-00001

September 22, 2022

II. Application Information

<u>Project Name:</u>	Mallard Pointe
<u>Staff Contact(s):</u>	Valerie Porter, Associate Planner Phone: 425-837-3094 Email: ValerieP@issaquahwa.gov Stacey Rush, Senior Engineer Phone: 425-837-3089 Email: StaceyR@issaquahwa.gov
<u>Property Owner:</u>	Steve Burnstead Construction, LLC
<u>Authorized Agent:</u>	Leo Suver Steve Burnstead Construction, LLC 11980 NE 24 th St Bellevue, WA 98005
<u>Request:</u>	Plat amendment approval to revise the impervious surface table.
<u>Parcel No.:</u>	505760-0010, 505760-0020, 505760-0030, 505760-0040, 505760-0050, 505760-0060, 505760-0070, 505760-0080, 505760-0090, 505760-0100, 505760-0110, 505760-0120, 505760-0130, 505760-0140, 505760-0150, 505760-0160, 505760-0170, 505760-0180, 505760-0190, 505760-0200, 505760-0210, 505760-0220, 505760-0230, 505760-0240, 505760-0250, 505760-0260, 505760-0270, 505760-0280, 505760-0290, 505760-0300, 505760-0310, 505760-0320, 505760-0330, 505760-0340
<u>Zoning:</u>	Multifamily-High (MF-H)

Comprehensive Plan: Multifamily Residential

Subarea: Providence Point

III. Surrounding Land Uses

North: Community Facility – Sewer Station
South: Wetland mitigation & Multifamily Residential
East: Community Facility – Lake Sammamish State Park
West: Multifamily Residential

IV. Project Description

The approved preliminary plat for Mallard Pointe included a condition of approval requiring the final plat to provide an impervious surface table demonstrating the impervious surface limitations for each lot and tract within the project site. During the final plat review a table was provided and approved by staff. The applicant is requesting a plat amendment to revise the impervious surface table on the final plat documents. No additional changes are being proposed. A project narrative is included as Exhibit 2 and the final plat plans as Exhibit 3.

V. Public Notification

The Issaquah Municipal Code (IMC) requires a public hearing for a plat amendment and requires notification to parties of record. Notice of the public meeting was sent to parties of record and neighboring properties within 300-feet.

Notice of Application: May 20, 2022
Public Notice Sign Posted: September 23, 2022
Notice of Public Hearing: September 23, 2022
Notice of Public Hearing: September 23, 2022 (Published in the Seattle Times)

VI. Background

An open record public hearing on the preliminary plat was held on September 19, 2017. The Hearing Examiner issued a Post-Hearing Order on September 21, 2017, to hold the hearing record open until October 5, 2017, to receive additional documents for the record and any comments on them by a party of record. The City's Hearing Examiner approved the preliminary plat with the Findings, Conclusions and Decision issued on October 16, 2017 (Exhibit 4).

On January 14, 2021, a public hearing was held for the final plat. The City's Hearing Examiner approved the final plat with the Findings, Conclusions and Decision issued on January 29, 2021 (Exhibit 5).

VII. State Environmental Policy Act (SEPA)

The preliminary plat went through SEPA environmental review, and the mitigation measures were applied as preliminary plat conditions of approval. No additional SEPA review is required for a plat amendment.

VIII. Stormwater Review

The project is required to comply with the 2009 King County Surface Design Manual and 2011 Issaquah Addendum to the City adopted storm design manual. The applicant is proposing conservation flow control and sensitive lake water treatment. Compliance with storm flow control and water quality treatment requirements are proposed through underground facilities. The Stormwater System is adequate for final on-site impervious areas allocation.

IX. Compliance with RCW 58.17.215

The Issaquah Municipal Code (IMC) does not currently include a process for final plat amendments/alterations. Accordingly, such applications should be processed in accordance with the final plat alteration process in RCW 58.17.215. Please see Exhibit 6 for additional information.

When any person is interested in the alteration of any subdivision or the altering of any portion thereof, except as provided in RCW 58.17.040(6), that person shall submit an application to request the alteration to the legislative authority of the city, town, or county where the subdivision is located. The application shall contain the signatures of the majority of those persons having an ownership interest of lots, tracts, parcels, sites, or divisions in the subject subdivision or portion to be altered. If the subdivision is subject to restrictive covenants which were filed at the time of the approval of the subdivision, and the application for alteration would result in the violation of a covenant, the application shall contain an agreement signed by all parties subject to the covenants providing that the parties agree to terminate or alter the relevant covenants to accomplish the purpose of the alteration of the subdivision or portion thereof.

Findings: The request is being made by the owner of the lots.

Upon receipt of an application for alteration, the legislative body shall provide notice of the application to all owners of property within the subdivision, and as provided for in RCW 58.17.080 and 58.17.090. The notice shall either establish a date for a public hearing or provide that a hearing may be requested by a person receiving notice within fourteen days of receipt of the notice.

Findings: Please see Section V for noticing information.

The legislative body shall determine the public use and interest in the proposed alteration and may deny or approve the application for alteration. If any land within the alteration is part of an assessment district, any outstanding assessments shall be equitably divided and levied against the remaining lots, parcels, or tracts, or be levied equitably on the lots resulting from the alteration. If any land within the alteration contains a dedication to the general use of persons residing within the subdivision, such land may be altered and divided equitably between the adjacent properties.

Findings: Not applicable.

X. Public Comments

Public notice was provided in accordance with IMC Chapter 18.04.180 (See Section III – Public Notification). No public comments were received after the mailed Notice of Application.

XI. Recommended Conditions

Based upon the application and submitted plans, the Administration recommends that the Hearing Examiner approve the plat amendment application for Mallard Pointe, File No. PA22-00001, as presented in the Staff Report dated September 22, 2022; with the following conditions:

1. Minor, non-substantive adjustments may be made to the final plat at the discretion of the Director of the CPDD, prior to recording of the final plat mylars.
2. Prior to the applicant recording of the final plat with King County, the necessary signatures of City representatives must be signed on the mylar sheets.
3. The applicant shall record the approved final plat with the King County Department of Records and Elections.
4. A copy of the recorded final plat packages shall be provided to the CPDD within ten (10) days of recording with the King County Department of Records and Elections. The applicant shall also submit an electronic copy of the plats in a format acceptable to the Public Works Department.

XII. Exhibits

1. Plat Amendment Application, received May 3, 2022
2. Project Narrative, received May 3, 2022
3. Final Plat Plan Sheets received on August 18, 2022
4. Hearing Examiner Preliminary Plat Findings, Conclusions, and Decision, dated October 16, 2017
5. Hearing Examiner Final Plat Findings, Conclusions, and Decision, dated January 29, 2021
6. Issaquah City Attorney Memorandum of Hearing Examiner Judication Over Final Plat Amendments, dated June 13, 2022
7. Affidavit of Mailing – Notice of Application, dated May 20, 2022
8. Affidavit of Sign Posting, dated September 23, 2022
9. Affidavit of Mailing – Hearing Examiner Public Meeting, dated September 23, 2022
10. Copy of Seattle Times, issued September 23, 2022